

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

JOINT COMMITTEE ON RULES

Call to Order: Chair Fred Thomas, on December 7, 2016 at 8:30 A.M., in Room 317-A
Capitol

SENATE ROLL CALL

Members Present:

Sen. Fred Thomas, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Mark Blasdel (R)
Sen. Edward Buttrey (R)
Sen. Llew Jones (R)
Sen. Frederick (Eric) Moore (R)
Sen. Scott Sales (R)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Cynthia Wolken (D)

Members Excused:

Sen. Kris Hansen (R)
Sen. Albert Olszewski (R)
Sen. Mike Phillips (D)

Members Absent: None

Staff Present:

Todd Everts, Legislative Branch
Nadine Spencer, Senate Committee Secretary

HOUSE ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Kirk Wagoner, Vice Chair (R)
Rep. Kimberly Dudik, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Rob Cook (R)
Rep. Alan Doane (R)
Rep. Jenny Eck (D)
Rep. Ron Ehli (R)
Rep. Kathy Kelker
Rep. Forrest Mandeville (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Sharon Stewart-Peregoy (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused:

Rep. Seth Berglee (R)
Rep. Greg Hertz (R)

Members Absent: None

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Adopted LC SJR1 as Amended

00:02:00 Chairman Thomas

00:02:04 **Motion/Vote:** Rep. Essmann moved to allow proxy votes. The motion carried unanimously by voice vote.

EXPLANATION OF THE JOINT RULES COMMITTEE PROCESS

00:02:34 Chairman Thomas

00:04:08 Todd Everts, chief legal counsel, Legislative Services Division (LSD)

[EXHIBIT\(rus00a01\)](#)

REVIEW OF LC SJR1 AND THE PROPOSED LEGISLATIVE COUNCIL JOINT RULE AMENDMENTS

00:06:12 Mr. Everts

00:08:24 Chairman Thomas

00:09:03 **Motion:** Rep. Essmann moved to **ADOPT LCSJR1**. (see Exhibit 1)

00:09:36 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000101.ATE**.

[EXHIBIT\(rus00a02\)](#)

Discussion:

00:10:28 Rep. Essmann

00:11:39 Sen. Buttrey

00:12:25 **Vote:** The carried by voice vote in the House and in the Senate of those present and voting.

00:13:17 Chairman Thomas

Public Comment:

00:14:18 Sen. Dee Brown, SD 2

00:15:10 Rep. Mike Cuff, HD 2

00:15:27 Chairman Thomas

00:15:40 Rep. Cuff

00:15:55 Chairman Thomas

00:16:24 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000103.ATE**.

[EXHIBIT\(rus00a03\)](#)

Discussion:

00:17:24 Rep. Essmann

00:18:04 Sen. Sesso

00:18:10 Rep. Essmann

00:18:38 Sen. Sesso

00:18:53 Mr. Everts

00:19:32 Sen. Sesso

00:19:54 Chairman Thomas

00:20:29 Sen. Barrett

00:21:14 Rep. Eck
 00:21:34 Mr. Everts
 00:22:20 Sen. Jones
 00:23:09 Chairman Thomas
 00:24:01 Rep. Cook
 00:24:19 Chairman Thomas
 00:24:41 Rep. Cook

00:25:22 **Vote:** The motion passed 9-8 by roll call vote in the House with Rep. Dudik, Rep. Bennett, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart Peregoy, Rep. Tschida, and Rep. Woods voting no. Rep. Berglee, Rep. Hertz, and Rep. Stewart Peregoy voted by proxy. The motion carried 8-3 by roll call vote in the Senate with Sen. Barrett, Sen. Sesso, and Sen. Wolken voting no. Sen. Hansen, Sen. Olszewski, and Sen. Phillips were excused.

00:28:13 **Motion:** Sen. Sesso moved **TO ADOPT AMENDMENT SJ000102.ATE.**
EXHIBIT(rus00a04)

Discussion:

00:29:30 Sen. Sesso
 00:30:15 Rep. Mandeville
 00:30:37 Rep. Essmann
 00:31:11 Chairman Thomas
 00:31:29 Sen. Buttrey
 00:31:52 Rep. Mandeville

00:32:21 **Vote:** The motion passed by voice vote in the House of those present and voting. The motion failed by voice vote in the Senate of those present and voting.

00:33:20 Chairman Thomas

00:33:48 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000104.ATE.**
EXHIBIT(rus00a05)

Discussion:

00:36:00 Rep. Essmann
 00:37:03 Rep. Cook
 00:37:22 Rep. Essmann
 00:37:57 Rep. Cook
 00:38:23 Rep. Essmann
 00:38:54 Rep. Dudik
 00:39:54 Rep. Essmann
 00:40:53 Rep. Woods
 00:41:47 Rep. Essmann
 00:42:18 Sen. Sesso
 00:43:25 Chairman Thomas
 00:46:05 Sen. Sesso
 00:47:33 Sen. Wolken
 00:48:00 Mr. Everts
 00:48:42 Sen. Wolken

00:48:55 Mr. Everts
 00:49:14 Sen. Barrett
 00:50:31 Rep. McConnell
 00:51:05 Mr. Everts
 00:51:12 Rep. McConnell
 00:51:18 Mr. Everts

00:51:29 Sen. Stewart Peregoy entered the hearing.

00:51:38 Rep. McConnell
 00:51:42 Mr. Everts
 00:52:03 Rep. McConnell
 00:52:30 Mr. Everts
 00:52:45 Rep. McConnell
 00:53:37 Chairman Thomas
 00:55:06 Rep. Essmann
 00:56:42 Rep. McConnell
 00:56:48 Rep. Essmann

00:57:01 **Motion:** Sen. Sesso moved **TO SEGREGATE SECTIONS 1 AND 2 OF AMENDMENT SJ000104.ATE.**

Discussion:

00:57:23 Chairman Thomas
 00:58:00 Rep. Essmann

00:58:22 **Vote:** The motion to adopt Section 1 failed 8-9 by roll call vote in the House with Rep. Essmann, Rep. Wagoner, Rep. Berglee, Rep. Cook, Rep. Doane, Rep. Ehli, Rep. Hertz, and Rep. Tschida voting aye. Rep. Berglee and Rep. Hertz voted by proxy.

00:59:57 Chairman Thomas

01:00:12 **Vote:** The motion to adopt Section 2 passed by voice vote in the House and in the Senate of those present and voting.

01:00:40 Rep. Eck

01:01:24 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000105.ATE.**
[**EXHIBIT\(rus00a06\)**](#)

Discussion:

01:02:27 Rep. Essmann
 01:03:30 Rep. Eck
 01:03:56 Rep. Cook
 01:04:17 Rep. Essmann
 01:04:52 Rep. Cook
 01:05:18 Chairman Thomas
 01:05:25 Rep. Cook
 01:06:36 Rep. Essmann withdrew his motion.

01:07:02 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000106.ATE.**
[EXHIBIT\(rus00a07\)](#)

Discussion:

01:08:14 Rep. Essmann
 01:08:53 Chairman Thomas
 01:13:27 Rep. Woods
 01:14:27 Rep. Eck
 01:15:08 Sen. Sesso
 01:15:26 Mr. Everts
 01:15:41 Sen. Sesso
 01:15:56 Chairman Thomas

01:16:33 **Vote:** The motion carried 10-7 by roll call vote in the House with Rep. Dudik, Rep. Bennett, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart Peregoy, and Rep. Woods voting no. Rep. Berglee and Rep. Hertz voted by proxy. The motion carried 8-3 by roll call vote in the Senate with Sen. Barrett, Sen. Sesso, and Sen. Wolken voting no. Sen. Hansen, Sen. Olszewski, and Sen. Phillips were excused.

01:19:09 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000107.ATE.**
[EXHIBIT\(rus00a08\)](#)

Discussion:

01:19:42 Rep. Essmann
 01:20:34 Rep. Kelker
 01:21:30 Rep. Essmann
 01:21:59 Rep. Essmann withdrew his motion.

01:22:33 **Motion:** Rep. Essmann moved **TO ADOPT AMENDMENT SJ000109.ATE.**
[EXHIBIT\(rus00a09\)](#)

Discussion:

01:23:54 Rep. Essmann

01:25:08 **Vote:** The motion passed by voice vote in the House and in the Senate of those present and voting.

01:25:46 **Vote:** The motion to adopt LCSJR1 as amended passed by voice vote in the House and in the Senate of those present and voting.

Public Comment: None

01:26:37 **Motion:** Sen. Keenan moved to adjourn.

01:26:43 Sen. Wolken
 01:27:07 Chairman Thomas
 01:27:18 Rep. Essmann
 01:27:48 Chairman Thomas
 01:27:59 Rep. Essmann

01:28:18 Chairman Thomas

01:28:21 Sen. Barrett

01:28:47 **Vote:** The motion carried by voice vote in the House and in the Senate of those present and voting.

ADJOURNMENT

Adjournment: 10:30 a.m.

Nadine Spencer, Secretary

Additional Documents:

EXHIBIT([rus00aad.pdf](#))